



CITY OF HAYWARD AGENDA REPORT

Meeting Date 09/26/02
Agenda Item 2

TO: Planning Commission

FROM: Erik J. Pearson, AICP, Associate Planner

SUBJECT: Planning Director Referral of Administrative Use Permit No. 2001-0328 & Site Plan Review Application No. 2001-0331 – Alameda Muslim League (Applicant); Ibrahim Khan, Sardar K. & Hafijan Dean (Owners): Request to Allow the Construction of a Mosque in the RS (Single-Family Residential) Zoning District

The Property is Located at 25000 Muir Street between Orchard and Berry Avenues

RECOMMENDATION:

Staff recommends that the Planning Commission deny the Administrative Use Permit and Site Plan Review applications, based on the attached findings.

BACKGROUND:

The City received several complaints from neighbors that the property was being used for religious meetings. The complaints were received as early as April of 1997 and as recently as December of 2001. The Community Preservation Division sent several letters to the property owners advising that an Administrative Use Permit is required for the operation of a religious facility in a residential zoning district. In April of 1998 the owner was cited and given a Notice to Appear in court. The violation was resolved when the owner provided evidence that the group had rented space in the Southgate Community Center for a 4-month period. The application for an Administrative Use Permit and Site Plan Review was submitted on October 22, 2001, and, after the submittal of revised plans, the application was deemed complete on June 20, 2002. Although the application could be acted on by the Planning Director, it is being referred to the Planning Commission due to the significant response from the neighborhood registering opposition to the project in the form of letters, e-mails, phone calls and petitions and due to staff concern over design issues.

DISCUSSION:

The 33,755 square foot parcel is currently developed with a single-family home and the large rear yard appears to be unused. The home contributes to the development pattern on Muir Street. It is placed such that access could be provided for additional development in the rear. The

applicant proposes to raze the house and construct a mosque at the rear of the property. Parking is proposed at the front of the parcel.

Design & Plan Policies

The proposal is for a 30-foot high, two-story, 10,917 square foot mosque building with a flat roof. Although the height limit for the RS zoning is 30 feet, most residential structures have pitched roofs, which result in a lower building height near the property lines. The proposed mosque is 30 feet tall at points 20 feet from the rear property line and 10 feet from the north side property line, the minimum required setbacks.

The General Plan designation for the property is Low Density Residential (LDR), which is intended for single-family detached housing, and the property is located in the Single-Family Residential (RS) zoning district. Religious facilities are permitted in the RS District subject to approval of an Administrative Use Permit. Approval of the AUP and Site Plan Review are subject to the following findings:

- The proposed use will not impair the character and integrity of the zoning district and surrounding area.
- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City.
- The development takes into consideration physical and environmental constraints.
- The development complies with the intent of City development policies and regulations.

The development policies that apply to the proposal are found in the City's General Plan and the Jackson Triangle Neighborhood Plan. The policies include the following:

- Promote infill development that is compatible with the overall character of the surrounding neighborhood.
- Require second stories to be architecturally attractive, compatible and sensitive to the privacy of adjoining residences in the placement of windows and balconies.
- Promote design and landscaping of infill development which is sensitive to the neighborhood during review by city staff and boards and commissions.

New development is expected to be consistent with the guidelines found in the City's Design Guidelines, some of which are listed below:

- Site new buildings and landscaping to transition gracefully to permanent development around them and to preserve privacy of adjacent residential uses.
- Connect new buildings visually with the form of existing structures. Use colors, materials and a scale that are harmonious with nearby development.
- Increase setbacks for bulky structures from adjacent structures or pathways, except at major intersections where larger buildings may be more appropriate.

- Select colors that are harmonious with surroundings and other building materials. Avoid harsh, glaring bright white or primary colors on large surfaces, including gas station canopies. Accent colors are encouraged to enliven commercial buildings.
- Avoid unrelated bulk and height in the placement of one and two-story structures. One-story transitional elements should be included where second stories are being added in predominantly single-story neighborhoods.

The preface to the Design Guidelines states, “Reasons for deviating from the Design Guidelines should be compelling and clearly stated in the public record.” Staff feels that the proposal deviates from all of the above guidelines. A building of this size and bulk should be setback from property lines substantially more than the minimums required for the RS zoning. The proposed mosque would not be compatible with any of the nearby homes. The colors, materials, and scale conflict with the pattern found on Muir and nearby streets.

This project would be visible from across the neighborhood, rising to approximately twice the height of the surrounding residences. The site is bordered by single-story (approximately 12 feet high), single-family homes on all sides. The proposed mosque does not have any qualities similar to a residential development. It is staff’s opinion that the building would look out of context and would not integrate well with the neighborhood due to its bulk and its tall, boxy shape and the flat roof. Although the proposal is not a second story addition, the intent of the Plan policies are to ensure that taller structures are designed with the smaller surrounding homes in mind. It is the belief of staff and many of the neighbors that the surrounding residential neighborhood was not taken into account when the mosque was designed. Although second-story additions may be made to the existing residences in the area, they would not be as massive as the proposed building as most two-story homes are about 20 to 22 feet high.

The colors proposed by the applicant are bright white (*Sand Dollar*) stucco for the main body of the building and beige (*Oyster*) and bright green (*Echo Green*) for the trim. Elimination of the white color for the main body would be more consistent with the City’s Design Guidelines. In order for a building of this size to visually fit with the neighborhood, darker colors and a lower, smaller building and/or larger setbacks would be necessary. The applicant has not been interested in discussing possible design changes with staff.

For comparison, the mosque located at 29414 Mission Boulevard (pictured at right) is 11,096 square feet on a 33,750 square foot parcel. The sizes of the building and the parcel are almost identical to the proposal on Muir Street (a 10,917 square foot building on a 33,755 square foot parcel), but the property on Mission Boulevard is in a commercial



setting where the street is about 100 feet wide. The building is imposing, but it is bounded on

both sides by underdeveloped properties where staff expects larger buildings will be built in the future.

Religious facilities can co-exist compatibly in residential neighborhoods. For example, an existing religious facility that is located in a residential area is the Casa Romana Si Capela at the corner of Calaroga and Kay Avenues in Hayward (pictured below). Although clearly not a



residential architectural style, this building fits well with the neighborhood because of its pitched roof and the fact that it is located on a corner where a landmark building is more appropriate.

Although the chapel has tower elements, the peak of the pitched roof is only 24 feet high. The building containing the meeting hall and residence above is 3,639 square feet and the chapel is 1,433 square feet. The lot is 26,750 square feet, so the total floor area is roughly 19 percent of the lot size. The building mass is much less than that proposed on Muir Street. An equivalent percentage of the lot size on Muir Street would result in a building area of 6,400 square feet – significantly smaller than the proposed 10,917 square foot mosque.

Sign

The plans submitted by the applicant include a monument sign to be located at the driveway entrance on Muir Street. The proposal is for a 6'8" high sign including a 3-foot high concrete painted base. Black painted letters are proposed on a white enamel metal box, which in staff's opinion is inappropriate in a residential neighborhood. If the project were approved, the sign would be limited to 6 feet tall and would have to be set back at least 10 feet from the Muir Street right-of-way. Otherwise, a variance to the Sign Regulations would be necessary. The design of the sign would also be required to be more decorative and consistent with the residential character of the neighborhood.

Parking

Although the building has a total area of 10,917 square feet, the City's Off-Street Parking Ordinance requires parking for churches based on the assembly area, which is 2,894 square feet. One parking space per 100 square feet of assembly area, or 29 spaces are required when this parking criterion is applied. Fifty parking spaces are proposed. The mosque on Mission Boulevard also has 50 parking spaces, but this has been found to be inadequate on many occasions. The plans for the proposal on Muir Street reflect that 168 people can be accommodated in the prayer areas. It should be noted that the total building occupant load is 487 people. In order to address concerns about the adequacy of the parking lot, the applicant has stated that when the assembly areas are used for prayers, no other areas of the building will be used. The Jackson Triangle Neighborhood Plan states that there has been a lack of adequate off-street parking in the area, which has resulted in streets crowded with parked cars that block sidewalks and walkways to housing.

The mosque on Mission Boulevard has 4,448 square feet of prayer area and regularly has 400 to 500 people at its Friday afternoon prayers. Although the prayer area at the proposed mosque is less, about 2,900 square feet, the applicant indicates that up to 250 persons are expected to attend services.

The Off-Street Parking Regulations, as they pertain to parking for religious assembly, were crafted in consideration of churches where families arrive in cars. However, it is staff's understanding that the mid-day prayer sessions are attended mainly by men, many of whom drive separately to the site from work. A recent observation of the mosque on Mission Boulevard, found that the 50 spaces in the improved parking lot were full and at least 50 cars were parked on an adjacent unimproved property. Cars were using a dirt driveway through a hole in a fence to enter the lot from Mission Boulevard. Cars have also been seen parked on the street on Fridays. Staff spoke with representatives from the Laborers International Union across the street and Western Tire next door and both stated that people have parked in their private parking lots to attend the mosque. The applicant expects fewer people than the regular attendance at the mosque on Mission Boulevard on Friday afternoons, however, even with only 150 people, each car would have to average 3 people per car. It is clear that the 50 approved parking spaces are insufficient for this mosque. Therefore, staff believes that the lack of adequate parking for the proposed mosque would result in a development that is incompatible with the surrounding neighborhood due to the impact of vehicles parking on surrounding streets.

Traffic/Engineering

The City's Engineering and Transportation Division performed an analysis of the traffic expected to be generated by the project based on the size and use of the proposed building. The largest attendance would be expected on Fridays at about 1 p.m. when the largest prayer session is held. An estimated 400 vehicle trips would be expected on Fridays with only 100 trips (50 in and 50 out) occurring during the peak hour. This is not considered to be a significant increase in traffic and no traffic study was required.

If the project were approved, the Engineering and Transportation Division would require the applicant to install a curb, gutter and sidewalk along the Muir Street frontage as well as a streetlight and a fire hydrant. The applicant has also proposed to install an underground storm drain line under Muir Street to connect the project with the existing system at Evelyn Lane.

Religious Land Use and Institutionalized Persons Act Of 2000 (RLUIPA)

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law designed to protect religious assemblies and institutions from zoning and historic landmark laws that substantially interfere with religious exercise. RLUIPA precludes local agencies from imposing a substantial burden on the exercise of religion through a land use decision absent a compelling government interest. The compelling government interest in this case is the preservation of the neighborhood character. The City has a legitimate interest in only approving religious uses that do not negatively impact the area in terms of neighborhood compatibility and provision of adequate parking. Staff believes that denial of the project is appropriate.

ENVIRONMENTAL REVIEW:

An Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. The study concludes that the project would have a significant impact on the environment and that an Environmental Impact Report should be required. The major issues identified in the study are aesthetics and consistency with General Plan and Neighborhood Plan policies, both of which indicate that the proposed building is not compatible with the neighborhood.

PUBLIC NOTICE:

On October 25, 2001, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Jackson Triangle Neighborhood Plan Task Force members and the Hayward Community Gardens. The Referral Notice provided an opportunity for persons to comment on the project. A second notice in Spanish was sent on October 31, 2001 using the same mailing list.

On September 6, 2002, a Notice of Public Hearing for the Planning Commission meeting printed in both English and Spanish was mailed. In addition, a public notice sign was placed at the site prior to the Public Hearing to help notify neighbors and interested parties residing outside the 300-foot radius.

Staff has received three phone calls in support of the project and 17 opposing it. Eleven letters and e-mails and petitions with signatures of 154 people, all opposed, were also received. The letters, e-mails and petitions are attached. Most of the respondents cited traffic and parking problems as issues and a desire to keep the residential character of the area as reasons for objecting to the project.

CONCLUSION:

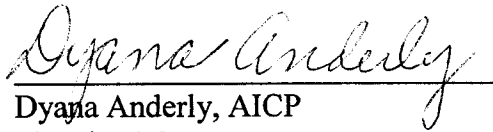
It is staff's opinion that the design of the structure is out of scale with the surrounding neighborhood. To create a building that complements the neighborhood, a complete redesign would be required involving a reduction in the size of the building and perhaps acquisition of additional land to provide more parking and larger setbacks from property lines. Although a project of this nature would be a valuable addition to the City and would contribute to the cultural diversity of the City, the mosque, as proposed, would impair the integrity of the neighborhood. Staff recommends that the application be denied. Consideration of approval of the project would require preparation of an Environmental Impact Report to address the potentially significant impacts identified in the Initial Study.

Prepared by:



Erik J. Pearson, AICP
Associate Planner

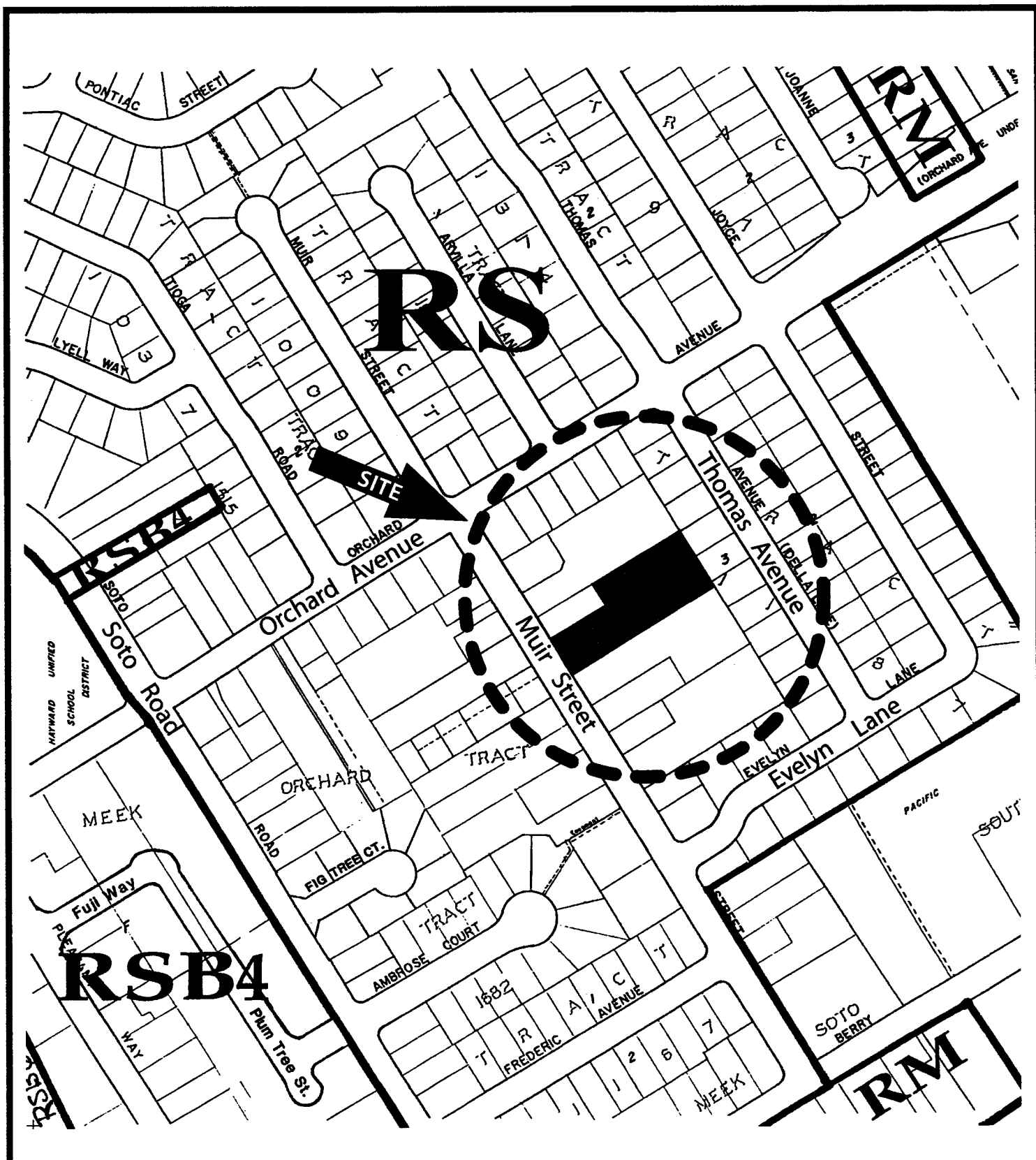
Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
- B. Findings for Denial of Administrative Use Permit No. 2001-0328 & Site Plan Review
Application No. 2001-0331
- C. Initial Study Checklist
- D. Letters and e-mails from neighbors
- E. Petitions
Plans



Area & Zoning Map

PL-2001-0328 AUP

Address: 25000 Muir Street

Applicant: Khan Ibrahim for the Alameda Muslim League

Owner: Ibrahim Khan, Sardar K. & Hafitan Dean

RM-Medium Density Residential RMB 3.5, RMB 4

RS-Single-Family Residential, RSB4, RSB6

FINDINGS FOR DENIAL

SITE PLAN REVIEW APPLICATION NO. 2001-0331 & ADMINISTRATIVE USE PERMIT NO. 2001-0328

Alameda Muslim League (Applicant)

Ibrahim Khan (Owners)

25000 Muir Street

Request to construct a mosque.

- A. The approval of Site Plan Review Application No. 2001-0331 and Administrative Use Permit Application No. 2001-0328, may have a significant impact on the environment. An Initial Study prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines concludes that the project cannot be approved without the preparation of an Environmental Impact Report.
- B. The proposed project is not compatible with surrounding structures and uses and may not be an attractive addition to the City in that the architecture, color and size of the building would be out of character with the neighborhood. The proposed building would be seen as a tall, massive structure visible from other street in the neighborhood.
- C. The development does not take into consideration physical and environmental constraints in that the building would overshadow several single-story single-family homes. The building would be 30 feet tall at points very close to single-story homes that are approximately 12 feet tall.
- D. The development does not comply with the intent of City development policies and regulations such as the General and Neighborhood Plan policies and Design Guidelines regarding designing projects to be compatible with and sensitive to the neighborhood. The building is too large and bulky for the size of the lot.
- E. The development may not be operated in a manner determined to be acceptable and compatible with surrounding development and may not be desirable for the public convenience or welfare. The lack of parking spaces proposed may result in cars parking on neighborhood streets, impeding access to homes and using street parking otherwise available to residents.
- F. The proposed project would impair the character and integrity of the zoning district and surrounding area as evidenced by the many Design Guidelines the project does not meet. The proposed building size would be more appropriate on a larger street where surrounding buildings are of similar scale and structures are setback further from property lines.
- G. The proposed use would be detrimental to the public health, safety, or general welfare in that the aesthetic impact on the neighborhood would be opposed by many neighbors.

ATTACHMENT B

- H. There is a compelling government interest in preserving the character and integrity of the neighborhood and ensuring that projects are approved with an adequate parking supply. The building is required to be designed in a manner reflecting the size of the property and the scale of the surrounding homes.
- I. The denial of this application does not place a substantial burden on the applicant. The property may continue to be used as a residence and may be suitable for subdivision for the purpose of building additional homes.

ATTACHMENT B



DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division

INITIAL STUDY CHECKLIST FORM

Project title: Administrative Use Permit No. 2001-0328 & Site Plan Review Application No. 2001-0331 – Request to Allow the Construction of a Mosque in the RS (Residential Single-Family) Zoning District. Alameda Muslim League (Applicant); Ibrahim Khan (Owner).

Lead agency name and address: City of Hayward, 777 “B” Street, Hayward, CA 94541-5007

Contact persons and phone numbers: Erik J. Pearson, Associate Planner (510) 583-4210

Project location: The property is located at 25000 Muir Street, Hayward, California in the Jackson Triangle Neighborhood Plan area.

Project sponsor’s name and address:
Ibrahim Khan
Alameda Muslim League
P.O. Box 6291
Hayward, CA 94540

General Plan: Low Density Residential (LDR)

Zoning: Residential Single-Family (RS)

Description of project: Request to construct a 10,917 square foot, two story mosque to be used for daily religious prayer and Sunday school functions.

Surrounding land uses and setting: The project site consists of a 33,755 square foot lot with one single-family residence. The property is surrounded by single-family residential homes.

Other public agencies whose approval is required: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

Erik J. Pearson, AICP Associate Planner

September 3, 2002
Date

City of Hayward

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>Comment: The project will not affect any scenic vista.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>Comment: The project will not damage scenic resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>Comment: The project is out of scale with the surrounding residential neighborhood. All of the adjacent homes are single story and the neighborhood is dominated by single story single-family homes. The proposed mosque is 30 feet tall. The proposed building would stand out in the neighborhood due to the fact that the colors, architecture and massing are not compatible with the nearby homes.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>Comment: The project can be designed to have a less than significant impact on the neighborhood in terms of light and glare. The following mitigation measure will be implemented to ensure that this impact is minimized: Prior to issuance of a building permit, a lighting plan prepared by a qualified professional must be submitted for approval by the Planning Director.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>Comment: The project site does not contain farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
<i>Comment: The project is not located in an agricultural district nor an area used for agricultural purposes.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
<i>Comment: The project area does not contain agricultural uses or farmland, See II b.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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| a) Conflict with or obstruct implementation of the applicable air quality plan?
<i>Comment: The traffic volumes associated with this project are not anticipated to be substantial. Therefore, a significant increase in air emission or deterioration of ambient air quality attributed to the project is not anticipated. It should be noted that the latest information provided by the Bay Area Air Quality Management District (BAAQMD) indicates that the Bay Area is designated a non-attainment area for ozone and particulate matter (PM10). Typically, the BAAQMD does not require site-specific air quality analyses for projects that do not meet minimum size threshold (typically in excess of 2000 vehicle trips per day), which this project would not meet.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Potential impacts to air quality by the release of PM10 during construction will be mitigated to a level of insignificance with the implementation of the following mitigation measure:

Best Management Practices (BMPs) are required as a condition of approval regarding use of equipment during the grading phase of construction. The project will be conditioned to require that all trucks be covered and that daily street sweeping and site watering be implemented during this phase. In addition, vehicle wheels may be required to be washed before entering the public street.

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| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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***Comments:** See III. a) above.*

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| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>Comment:</u> See III. a) above. | | | | |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See III. a) above. | | | | |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The project would not create objectionable odors affecting a substantial number of people. | | | | |

IV. BIOLOGICAL RESOURCES -- Would the project:

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| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The project site has been developed with a single-family home and the large rear yard has been disturbed. Since the property is urban in nature, biological resources will not be adversely affected. | | | | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The site contains no riparian or sensitive habitat. | | | | |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The site contains no wetlands. | | | | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The site does not contain habitat used by migratory fish or wildlife nor is it a migratory wildlife corridor. | | | | |

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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
<i>Comment: The project is and any future development will be in conformance with the General Policies Plan and the Mission-Foothills Neighborhood Plan.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?
<i>Comment: There are no habitat conservation plans affecting the property.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

V. CULTURAL RESOURCES -- Would the project:

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
<i>Comment: There are no known cultural resources in the project area and it is unlikely that any cultural resources will be encountered during site development. Potential impacts related to unknown cultural resources that may be encountered during the construction phase can be mitigated to a level of insignificance with the implementation of the following mitigation measure:</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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In the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Department of Community and Economic Development shall be notified. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.5 and 15126.4 of the California Environmental Quality Act.

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| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
<i>Comment: See V. a) above.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
<i>Comment: See V. a) above.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?
<i>Comment: See V. a) above.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: The project site is not within the Earthquake Hazard zone. The Hayward Fault passes about two miles east of the site, while the San Andreas Fault passes about 12 miles west of the site. It is likely that during the lifetime of any future residences, commercial buildings or industrial buildings constructed on the project site, they will be subject to seismic shaking and other earthquake-induced effects. The Uniform Building Code requires new building construction to meet requirements for construction in earthquake-prone areas, which is intended to minimize any potential impacts related to seismic events. The following mitigation measure is recommended in order to reduce potentially significant impacts related to soils and grading to a less than significant level:

The buildings shall be constructed in accordance with Uniform Building Code requirements relating to earthquake safety in residential, industrial and commercial structures.

- ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See VI. a) i above.

- iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See VI. a) i above.

- iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site is level and is not subject to landslides.

- b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project site is flat. The Engineering Division will ensure that proper erosion control measures (Best Management Practices) are implemented.

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See VI. a) i above.

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| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
<i>Comment: Prior to issuance of a building permit, engineering and building staff will review a geologic and soils investigation report to adequately design the building foundations for the soil type on-site.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
<i>Comment: The site would be connected to the City of Hayward sewer system.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
<i>Comment: There is no evidence of hazardous materials at the site nor will hazardous materials be used or transported near the site.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
<i>Comment: See VII a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
<i>Comment: See VII a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
<i>Comment: See VII a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
<i>Comment: The project is not located within an airport zone.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
<i>Comment: See VII e.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
<i>Comment: The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the area. Emergency response times will be maintained.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
<i>Comment: The project is not located in an area of wildlands and is not adjacent to wildlands.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?
<i>Comment: The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff. The applicant proposes to install a new storm drain line under Muir Street to connect the property with the existing underground storm drain system at Evelyn Lane</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
<i>Comment: The site will be served with water by the City of Hayward. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Recharge of the groundwater table may be decreased due to the site likely being covered with impervious surfaces as the site is developed commercially. This impact is deemed insignificant as there are no known wells nearby that would see a drop in production. Furthermore, the current zoning would also permit the site to be developed with impervious surfaces.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
<i>Comment: The project is not located near a stream or a river. Development of the site will not result in substantial erosion or siltation on-or off-site.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>Comment: The project is within an urban area and has been developed as such. Drainage patterns on the site will not cause flooding.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>Comment: The amount of run-off from the project will not exceed the capacity of the stormwater drainage system. See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <i>Comment: See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>Comment: The project does not include any housing.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>Comment: According to FEMA Flood Insurance Rate Maps (panel # 065033-0011E dated 2/9/00), this site is not within the 100-year flood hazard area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <i>Comment: See VIII h.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <i>Comment: The project is not in a location that would allow these phenomena to affect the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community? <i>Comment: The project will not physically divide the existing community.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comment: The project conflicts with both the General Plan and the Jackson Triangle Neighborhood Plan policies as well as the City's Design Guidelines regarding neighborhood compatibility. The proposed building is out of scale with the neighborhood in terms of massing and height. The architecture is not compatible with the surrounding homes.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See IV f.

X. MINERAL RESOURCES – Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not result in a significant impact to mineral resources since the project study area is a developed urbanized area that does not contain mineral resources that could be feasibly removed.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See X a.

XI. NOISE - Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: All activities will be indoors. No outdoor speakers, amplification or bells will be used. No sound is proposed to be used to signal the start of a meeting or prayer session.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See XI a.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See XI a

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i><u>Comment:</u> During construction of the project, there may be an increase of ambient noise levels in the vicinity. Hours of construction should be limited to daytime activity and hour limitations placed on Saturday and Sunday activity. Construction equipment should have sound reduction devices to reduce noise impacts on surrounding properties. Due to acceptable ambient noise level in the vicinity, no mitigation is required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? <i><u>Comment:</u> The project is not located within an airport land use plan or within two miles of a public airport or public use airport.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? <i><u>Comment:</u> See XI.e) above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i><u>Comment:</u> The construction of a mosque is not expected to induce population growth.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <i><u>Comment:</u> One house will be removed, however, Imam's quarters will be included in the mosque building.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i><u>Comment:</u> See XII b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection? <u>Comment:</u> The proposed project would have no effect upon, or result in only a minimal need for new or altered government services in fire and police protection, schools, maintenance of public facilities, including roads, and in other government services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? <u>Comment:</u> See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? <u>Comment:</u> See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? <u>Comment:</u> See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? <u>Comment:</u> No other public facilities will be significantly impacted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>Comment:</u> The project is not expected to have any impact on the use of or demand for recreational facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>Comment:</u> See XIV a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? <u>Comment:</u> The City's Engineering and Transportation Division reviewed the proposal and determined that there will not be a significant effect on a.m. or p.m. peak hour traffic congestion. No traffic study was required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? <u>Comment:</u> See XV a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? <i>Comment: The project will not affect air traffic patterns.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>Comment: The project will not have any hazardous design features or incompatible uses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? <i>Comment: The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? <i>Comment: The project meets the minimum parking requirements set forth in the City's Off-street Parking Ordinance, however, observance of a similar-sized mosque in the City of Hayward shows that 50 parking spaces is not sufficient for the proposed mosque. Operation of the proposed mosque would likely result in many vehicles parking on neighborhood streets. The applicant expects between 100 and 250 people attending prayer sessions on Fridays. If only 168 people (the capacity according to the floor plans) were present, vehicles would have to average more than 3 people per car for the proposed parking lot to be sufficient.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>Comment: The project does not conflict with adopted policies supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>Comment: The project has been reviewed by the City of Hayward Utilities (Water) Division. Water and sewer service will be made available subject to standard conditions and fees in effect at the time of application for service. The plans will have to show the location of water, sewer and storm drains. The project plan shall include storm water pollution prevention and control measures for the operation and maintenance of the project during and after construction.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: See XVI. (a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The underground storm water drainage system will be extended from Evelyn Lane under Muir Street to the site. The construction of this extension is not expected to cause significant environmental effects.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Comment: See XVI. (a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>Comment: See XVI. (a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>Comment: Waste Management of Alameda County will dispose the solid waste. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>Comment: The project will comply with all federal, state, and local statutes and regulations related to solid waste.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12 Sept, 2002

Mr. Rick Pearson

Dear Sir:

Thank you for the notice of the public hearing on the construction of a mosque at 25000 Main St. Hayward. We live just around the corner on Orchard Ave. and I join in with the entire neighborhood to protest having this mosque here. We are a crowded neighborhood of small homes. It would add tremendously to the congestion of traffic and we do not feel a mosque which is a religious building is appropriate to our neighborhood.

Sincerely,

Mr and Mrs
Elmer Peck

447 Orchard Ave.

RECEIVED

SEP 13 2002

PLANNING DIVISION

RECEIVED

OCT 30 2001

PLANNING DIVISION

68 To whom it may concern
My note is no, Good Lord
don't we have enough traffic
on Orchard a school zone.

This will add to the congestion
After all our street is residential
We voted no last year for this
So why are asked again No more
No. Don't believe this is a place
for a ~~church~~ Church. That should
be built on the out skirts of town
not in a residential. It starts
out small then it gets bigger
& bigger. Soon we can't even
Park in front of our own homes
Then this will cause friction its
Quiet place don't need this

Your Planning Commission of Hwy.
should see this too need for
these leaflets to be sent out.
So please leave things the way it is
The neighbor hood is in an uproar
Its ~~now~~ already making people
un happy - So Thankyou but no thank
you - Just the picture of the building
is enough to scare you. It looks huge -

From: Yolanda Guerra <YGuerra@seiu535.org>
To: "erikp@ci.hayward.ca.us" <erikp@ci.hayward.ca.us...
Date: Mon, Oct 29, 2001 9:27 PM
Subject: NOTICE OF REQUEST FOR PROPERTY EXCAVATION AT 25000 MUIR RD.

TO WHOM IT MAY CONCERN,
I HAVE LIVED AT MY PROPERTY AT 25053 JOYCE ST FOR 20 YEARS. I HAVE SEEN PEOPLE AND THEIR PROJECTS COME AND GO. ALTHOUGH I AM NOT OPPOSED TO THE DEVELOPMENT OF OUR NEIGHBORHOODS FOR THE BETTERMENT OF ALL OF THE HOME OWNERS, I AM OPPOSED TO A PROJECT THAT WILL SIMPLY DEVALUE ALL THE SURROUNDING PROPERTIES. THIS IS A LOW INCOME NEIGHBORHOOD WITH MOST PEOPLE WORKING 2 JOBS TO MAKE ENDS MEET. YOU WILL FIND THAT MOST FOLKS IN THIS AREA ARE RESPONSIBLE HOME OWNERS AND HAVE NO DESIRE(OR THE FINANCIAL ABILITY) TO MOVE OUT OF THIS NEIGHBORHOOD. THIS PROJECT IS NOT, BY ANY MEANS, A PROJECT THAT WILL HELP THOSE OF US WHO HAVE CHOSEN TO LIVE AND INVEST IN THIS NEIGHBORHOOD. THIS PROJECT IS OVER 10,000 SQUARE FEET AND WILL SWALLOW UP APPROXIMATELY 10 HOMES. THESE HOMES ARE OWNED BY PEOPLE WHO CARE ABOUT OUR NEIGHBORHOOD. THEIR CHILDREN GO TO THE NEIGHBORHOOD SCHOOL AND NEIGHBORHOOD CHURCH. THEY CANNOT AFFORD TO MOVE TO ANOTHER LOCATION. THIS PROJECT WILL DEVALUE(LOWER) OUR PROPERTY VALUES. MOST PEOPLE IN THIS AREA DO NOT KNOW THIS OR EVEN UNDERSTAND WHAT IS GOING ON. I FIND IT VERY INTERESTING THAT THE NOTICE YOU SENT OUT WAS ONLY IN ENGLISH. IF YOU DON'T KNOW BY NOW, MOST OF THE HOME OWNERS IN THE AREA ARE SPANISH SPEAKING. I WOULD DEMAND THAT YOU RESEND THE THE NOTICE IN SPANISH AND ALLOW FOR A RESPONSE IN THAT LANGUAGE. I CANNOT SUPPORT A PROJECT THAT WILL DISPLACE FAMILIES AND WILL APPEAL TO A SMALL MINORITY WHO MAY HAVE A FINANCIAL VESTED INTEREST WITH THE CITY. I STRONGLY OPPOSE THIS PROJECT. I CAN BE REACHED AT 510-733-5139 OR 510-893-8766X114. PLEASE CALL ME OR EMAIL ME IF YOU HAVE ANY QUESTIONS
SINCERELY
YOLANDA GUERRA

CC: Yolanda Guerra <YGuerra@seiu535.org>, Yolanda Guer...

Erik Pearson

From: Pam.Fernandez@owens-ill.com
Sent: Thursday, November 01, 2001 11:59 AM
To: ErikP
Subject: 25000 Muir Street

Mr. Pearson:

I own property at 25042 and 25070 Muir Street and have been told by the city that this parcel is zoned residential and that I can only build one house per 5000 sq. ft. Why is it now ok for a mosque to be built?

In the past two years, we have had nothing but problems when the members attend their religious functions in the backyard of 25000 Muir Street. This has been reported to Sheldon McClellon numerous times. It becomes a public safety and traffic issue as members park on both sides of the street and walk everywhere without acknowledging traffic, kids, etc. It also ties up traffic on Soto Road.

This is not a good idea to even consider approval.

Pam Fernandez
25042 Muir Street
Hayward, California 94544

8/26/2002

Erik Pearson

From: funtalan@inktomi.com
Sent: Tuesday, October 30, 2001 12:05 PM
To: ErikP
Subject: FW: Mosque

Original Message

From: Florentina Untalan [<mailto:funtalan@inktomi.com>]
Sent: Tuesday, October 30, 2001 9:39 AM
To: drikp@ci.hayward.ca.us
Subject: Mosque

Hi,

I received this notice regarding building a mosque behind our house and I'm not in favor because of noise, traffic and I think the value of our property will go down. I live at 25071 Thomas Avenue. As of now we are enjoying the quiteness in our neighborhood. I really appreciate it if your not going to approved this proposal. Have a great day.

Thank you,

Florentina Untalan

8/26/2002

From: "floyd goddard" <goddardfloyd@hotmail.com>
To: COHD.CED(ErikP)
Date: Fri, Nov 2, 2001 11:05 AM
Subject: PL-2001-0328 aup/2001-0331 SPR

im a resident of hayward living on joyce street and i dont want the building that would be used for mosque functions to be built, it would be way to close to my house and i dont think it should be put in our residential area, it is already too cluttered and we have enough traffic as it is. noboby ive talked to wants this thing to be built. thank you.

FLOYD GODDARD

Get your FREE download of MSN Explorer at <http://explorer.msn.com/intl.asp>

From: <BATMN6060@aol.com>
To: COHD.CED(ErikP)
Date: Thu, Nov 1, 2001 5:40 PM
Subject: religious building

To Whom It May Concer:

I am totally against having a church of any kind in the neighborhood, especially a religious building that size. The traffic that the church would cause would be tremendous and this neighborhood does not need that problem. The noise we do not want. The problems that would come from having that in our neighborhood would cause more crime then we already have. This is a housing neighborhood and we do not want the Mosque here and we do not want the problems that it would cause!!!!

Vicki Halbur and entire family

From: "perle.andy" <perle.andy@netzero.net>
To: COHD.CED(carlosm)
Date: Thu, Nov 1, 2001 8:48 PM
Subject: Muir Street Mosque

I was on the Jackson Triangle Task Force and at the time we voted on the plan for the city we voted that the area was to be single family homes ONLY, There is so much traffic on this street and on Orchard and also Soto that it is dangerous for children to cross the street and now you want to increase traffic by allowing a Mosque to be built in this area. The street is narrow and to add to the traffic would prove to be dangerous to the population that live there. I OPPOSE THIS STRUCTURE ON THIS STREET. There are other areas in Hayward that would be conducive to this type of building. There was much expense installing a turn around by Joanne Street because of the traffic, many yellow signs in the street because of the heavily traffic and cannot understand why the city is even considering this type of building which would mean traffic seven days a week where it is not needed. Please consider this opposition to this Mosque when there are other areas that would be better. Thank you, Perle Anderson, (510) 886-7835.

Also, why is it that on one mailing the deadline was November 2nd and the one that I received a few days later, written in Spanish, had a deadline of November 9th? Also there are two employees working of this, WHY? I would appreciate a reply.....

CC: COHD.CED(ErikP)

From: "custservalameda" <custservalameda@placertitle.com>
To: COHD.CED(ErikP)
Date: Fri, Nov 2, 2001 8:42 AM
Subject: Reference: PL-2001-0328 AUP/2001-0331 SPR

Planning Division
Erik J. Pearson, AICP
Associate Planner
777 "B" Street
Hayward, CA 94541

I am an owner and resident in the Jackson Triangle, I do not want the Sunday School/ Prayer building to be built in my area. I have heard from others in the area and they have also voiced their opinion as to not wishing to have this in the area.

Thank you,

Linda Goddard

October 31, 2001

RECEIVED

NOV 01 2001

Mr. Erik J. Pearson, AICP
Associate Planner
Planning Division
City of Hayward
777 "B" Street
Hayward, CA 94544

PLANNING DIVISION

Subject: City of Hayward Official Notice to CO-Chair
Bonnie Dotson/Jackson Triangle Neighborhood.
RE: Request for construction of a two story
building to be used for Mosque functions at
25000 MUIR STREET, HAYWARD, CA.

Mr. Pearson:

As we discussed via telephone, subject request, if approved, would not honor the Jackson Triangle Neighborhood Plan adopted by the City of Hayward.

Please review our Jackson Triangle Neighborhood Plan and you will see that the neighborhood reviewed and felt that the vacant land at 25000 Muir Street, when developed, should be developed into residential housing and specifically, not high density housing.

We have major traffic circulation problems/congestion in our neighborhood as it is. If subject project is built, our residential streets will become even more congested. Just in the last two years the City of Hayward installed two traffic speed humps and a roundabout on Orchard Ave. , in addition to installing a four way signal at Orchard Ave. and Soto Rd. by the John Muir Elementary School, due to traffic congestion. I am sorry to say, we still have major congestion and speeding.

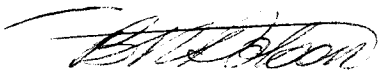
In addition, we already have a lack of on street parking. That is why our neighborhood plan states any new residential housing built will require a minimum of two on-site parking spaces per unit plus visitor parking and On street parking is limited in many areas where driveways are frequent.

John Muir Elementary School is very close to Muir Street, which is another reason residents recommended the vacant land on Muir Street when developed, be developed in residential housing. Many children in our neighborhood walk to school. And there is a shortage of residential housing according to City of Hayward staff.

Please deny subject project for all the above reasons, for it is not in an appropriate location. Many residents are very concerned that subject project request would even be considered in our neighborhood. Please honor our Jackson Triangle Neighborhood Plan; alot of work went into the plan, and the City Council passed and adopted it.

Thank you for your time.

Respectfully,


Bonnie Dotson
On record Co-Chair of
Jackson Neighborhood Plan
task force;
Residence 563 Berry Ave.
Hayward, CA 94544

cc: City of Hayward Council Members

October 30, 2001

RECEIVED

NOV 1 2001

PLANNING DIVISION

Erik J. Pearson,
Planning Division
777 "B" Street
Hayward, CA 94541

Dear Mr. Pearson,

The purpose of my letter is to express my opinions regarding the planned construction of a mosque in my community. The mosque is planned for construction at 25000 Muir Street, a residential area. My concerns are the following: high amounts of traffic, parking, noise, and a possible increase in vandalism.

First, let me say that I have lived in this community for 34 years and have grown to know most of my neighbors. There are several families with small children and my main concern are accidents occurring involving children as a result of high traffic volumes. With new developments come increased traffic flows, our infrastructures are not capable of supporting this increase in traffic and we absolutely cannot have it.

Second of my concerns is the parking issue. What happens when there are no more parking spaces in the parking lot? People opt for parking in front of residential areas. Homeowners spend an incredible amount of money every year in maintaining a lawn and I will not have people trample over it.

Third, we as a community are just now getting accustomed to the noise generated by the apartment complex that is practically in our backyard. This construction alone has increased noise level by at least 70%. Imagine what the construction of a new mosque will do to the noise level in this area.

Lastly, I am certain that more cars and more people will mean more vandalism. As it stands, vandalism has increased greatly in this area and I am certain police records will show that. Again, our community will not stand for it.

Please understand that I do not disagree with the construction of any place of worship, however, I do disagree with its repercussions. If this mosque were constructed at a different location, perhaps one closer to a wider thoroughfare, some of the problems outlined here could be avoided. I welcome any comments you might have.

Respectfully,

Rick Zerino



PAGE 2

Your signature indicates that you agree with every point suggested herein.

Name	Address
Cigita Zereins	453 Evelyn Lane
Arthur C. Martinez	452 Evelyn Lane
Andri N. L. Franco	466 Evelyn LN.
Laura J. Saldaña	438 Evelyn Lane Hayworth Calif.
Jean Franceschini	25110 Muir St.
Carlos Zaino	453 Evelyn Lane
Antonio Alvarez	24938 Thomas Ave.
Blair Rye	25063 Thomas Ave
Bernard Rosas	25079 THOMAS AVE
Martha Arroyo	25087 Thomas ave.
Richard Torres	25077 Joyce St
Maria Guernonillo	25055 Thomas Ave
Sam Jay	25055 Thomas Ave
Daniel Perez	24996 Thomas Ave

GORDON DOTSON PROPERTIES

531 Berry Avenue Hayward, CA 94544 (510-537-1276)

October 31, 2001

RECEIVED

NOV 01 2001

PLANNING DIVISION

CITY of HAYWARD
Eric J. Pearson, AICP
Planning Division/Dept.
Planning Commission
777 "B" Street
Hayward, CA 94541

To whom it may concern,

This letter is in reference to the application for construction and usage of a proposed 2 story building to be used for Mosque functions at 25000 Muir Street Hayward, CA 94544. We, Gordon Dotson Properties, having property consisting of rental units both adjacent to, across the street and in the neighboring areas of the proposed structure are strongly opposed to this development and request it be denied. Normally we encourage new development or improvements in neighboring properties that would improve or enhance the neighborhood and environment around them, however we feel this project would be a major mistake for the community if the City of Hayward approves the application for construction and the usage of the property in this way.

Muir Street is a narrow unimproved residential street with no sidewalks or curbs, which lies between Orchard Ave. and Berry Ave. Orchard Ave. is an already very heavily traveled and congested street in which the city has just installed a round-about at Joyce Ave. and Orchard Ave. along with speed bumps, sidewalks and curbs to try to accommodate and slow down existing traffic. Berry Ave. is an unimproved yet heavily traveled street being a connector street between Whitman Street and Soto Road, marked with a number of apartment complexes has in itself an already existing traffic and parking problem. Furthermore, with the traffic of Soto Road (a connector street between Harder road "which is now also under construction) and Jackson Street along with the John Muir Elementary School traffic and young pedestrians coming and going from school on these streets, we really feel this development would add to a truly already congested environment.

With the daily mentioned functions, meetings, Friday and Sunday events scheduled throughout the week as stated on the official notice by the City of Hayward we feel the extra traffic, parking and noise generated from the proposed building would only add to an already existing problem thus adding more congestion to the area. In addition, this type of facility does not have restricted hours of operation. It would become a timely and consuming effort for the city of Hayward to control the noise and traffic created.

We also feel that along with the above mentioned conditions, and the loss of privacy due to a large two story building adjacent to and looking down into our property, "Tenant's yards", noise of automobiles, congestion, etc. would hinder the ability to rent our apartments. We also feel with

such a development established in the neighborhood it would cause the value of both our and neighboring properties to drop.

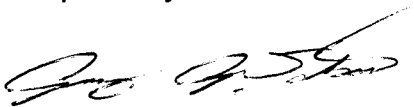
If the Planning Department or Commission would check with the Building Department you will find there has already been previous problems with this property. The owners had begun construction of an addition to the existing front house and also began construction of a meeting structure without the City of Hayward's required permits. Fortunately the City of Hayward had the property owner tear down these structures. Also meetings, parking and traffic situations have occurred without any use permits which the Department of Community and Economic Development was finally, after a number of attempts, able to halt. (Pictures of such problems have been enclosed.)

As you know the City of Hayward has already encountered a problem with a meeting place on Silva Avenue just off Jackson Street. I am sure if this were your neighborhood or backyard you would also be just as concerned as we.

Gordon Dotson Properties sincerely requests that the Planning Department and Planning Commission deny any application for the construction and use of a Mosque at 25000 Muir Street.

Thank you for your time and attention.

Respectfully,



Gary G. Dotson
of Gordon Dotson Properties



25000
MAIN STREET
HAYWARD
PARKING
PROBLEM
AND
CONSTRUCTION



SIDE EXCESS PARKING AND CONSTRUCTION





NOTICE

CITY OF HAYWARD

NUMBER

Page 4 of 4

OWNER'S OR PERMITEE'S NAME

JOB ADDRESS

MAIL ADDRESS

6902

25000 Main St

NO PERMIT
VIOLATION
CONSTRUCTION

☐ VIOLATION

U.B.C.

☒ NO PERMIT - STOP WORK - REMOVE CONSTRUCTION, OR OBTAIN PERMIT AND MAKE ANY WORK COMPLY WITH BUILDING LAWS.

☐ CONSTRUCTION NOT IN ACCORDANCE WITH APPROVED PLANS AND PERMIT - STOP WORK - MAKE EXISTING WORK COMPLY WITH APPROVED PLANS AND PERMIT OR REMOVE IT.

☐ CALL ZONING DIVISION AT 581-2345, CONCERNING VIOLATION OF ZONING REGULATIONS LISTED BELOW.

☐ STOP WORK - UNTIL AUTHORIZED TO CONTINUE BY THE INSPECTOR.

☒ CORRECTIONS REQUIRED

☐ CORRECTIONS LISTED BELOW MUST BE MADE BEFORE WORK CAN BE APPROVED.

☐ CONTACT INSPECTOR AND ARRANGE FOR APPOINTMENT.

☐ PARTIAL APPROVAL

☐ WORK DESCRIBED BELOW HAS BEEN INSPECTED AND IS APPROVED.

Stop all construction until
proper permits have been issued.
Work to be permitted is as follows:
Carport and patio enclosure
North end of dwelling.
Also large structure at rear
30 x 80

Addition at rear of house

THE ACTIONS OR CORRECTIONS INDICATED ABOVE ARE REQUIRED WITHIN 10 DAYS. THE HAYWARD BUILDING REGULATIONS REQUIRE PENALTY FEES WHEN WORK HAS BEEN STARTED WITHOUT PERMIT.

FOR INSPECTIONS CALL 581-2345 - BUILDING INSPECTION DIVISION

INSPECTORS ARE IN OFFICE 8:00 A. M. TO 9:00 A. M., MONDAY THRU FRIDAY
22300 FOOTHILL BLVD.

293 8675 Margaret DeFrene 10-17-96

NAME OF INSPECTOR (PRINT)

DATE

<input checked="" type="checkbox"/>	BUILDING
<input type="checkbox"/>	ELECTRICAL
<input type="checkbox"/>	HEATING/VENT
<input type="checkbox"/>	PLUMBING
<input type="checkbox"/>	PAINTING
<input type="checkbox"/>	LANDSCAPE
<input type="checkbox"/>	POOL



"30 x 80 SUB FLOOR"
"NO PERMITS"

RECEIVED

September 16, 2002

SEP 17 2002

CITY OF HAYWARD
Eric J. Pearson, AICP
Planning Division/Dept.
Planning Commission
777 "B" Street
Hayward, CA 94541

PLANNING DIVISION

Mr. Pearson,

I am addressing the application for construction and usage of the proposed 2 story Mosque building along with it's "daily" functions at 25000 Muir Street Hayward, CA 94544. We, Gordon Dotson Properties, having property consisting of rental housing units both adjacent to , across the street from and in the neighboring areas of the proposed structure are strongly opposed to this development and respectfully request you deny the application and construction of this development. Normally we encourage new development or improvements in neighboring properties that would improve or enhance the neighborhood and environment around them, however, we feel this project would be a major mistake for this community if the City of Hayward approves the application for construction and the usage of the property in this way. It is my understanding when the Jackson Street Triangle Committee was established, the city, neighborhood and committee agreed, all open land should be used for residential housing.

Muir Street, a narrow unimproved residential street with no sidewalks, curbs and with a shortage of parking, lies between the busy Orchard Avenue and the frequently used Berry Avenue. Orchard Avenue, as you know being a connector street between Mission Boulevard and Soto Road is an already very heavily traveled and congested street in which the city has recently installed a round-about at Joyce Avenue and Orchard Avenue, traffic signals at Soto Road and Orchard Avenue "just adjacent to John Muir Elementary School", along with speed bumps, sidewalks and curbs to try to accommodate and slow down the existing heavy traffic. Berry Avenue, also an unimproved street and being a connector street between Whitman Street and Soto road, is marked with a number of apartment complexes and has in itself an already existing traffic and parking problems. Furthermore, with the traffic on Soto Road (which is a connector street between Harder Road "which is now under construction" and Jackson Street) along with the John Muir Elementary School traffic and the young pedestrians coming and going from school on these streets, we really feel this development would add to a truly already heavily congested environment.

With the daily mentioned functions, meetings, Friday and Sunday events scheduled throughout the week as stated on the official notice by the City of Hayward, we feel the added extra traffic,

ATTACHMENT E

parking and noise generated from the proposed building and functions would only add to an already existing problem thus creating even more congestion to the area. In addition, this type of facility does not have any restricted hours of operation. "NOTE: Currently zoned residential"

We also feel that along with the above mentioned conditions, and the loss of privacy due to a large two story building adjacent to and looking down into our property, "Tenants yards" noise of automobiles, congestion, etc. would hinder the ability to rent our apartments. If such a development is established in the neighborhood it could also cause the value of our properties, as well as the neighboring properties, to drop.

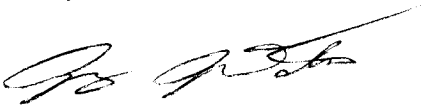
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As you know the City of Hayward has previously encountered just such a situation on the corner of Silva Avenue and Jackson Street. I am sure if this were your neighborhood or backyard you would also be just as concerned as we.

Gordon Dotson Properties sincerely requests that the Planning Department and Planning Commission deny any application for the construction and use of a Mosque at 25000 Muir Street.

Thank you for your time and attention.

Respectfully,



Gary G. Dotson
of Gordon Dotson Properties

P.S.

Attached you will find copies of two separate neighborhood petitions requesting that this application to build this development be denied. Also enclosed are pictures of Orchard Avenue and Joyce Avenue round about, Orchard speed bumps, Thomas Street speed bumps, and pictures of a like Mosque on Mission Boulevard, which we feel is a more appropriate location for such a development to be placed.

Official Notice

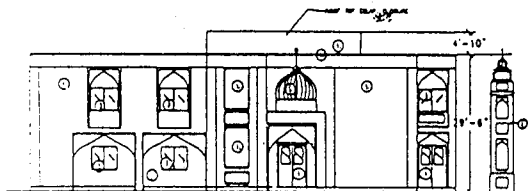
Noticia Oficial

The City of Hayward has received a request for a 10,917 square foot, 2-story building to be used for Mosque functions, daily/Friday prayers, & Sunday school.

The property is at 25000 Muir Street.

We value your opinion: The City welcomes comments from the public, Hayward Community Gardens, Jackson Triangle Neighborhood Task Force, and from the neighboring property owners and residents.

Decisions on the application may be made administratively. Should this occur, all surrounding residents and property owners will be notified. Administrative decisions may be appealed to the City of Hayward Planning Commission.



La ciudad de Hayward ha recibido una solicitud para construir un edificio de dos pisos y 10,917 pies cuadrados para ser usado diariamente como mezquita, para oraciones los Viernes y como escuela los Domingos.

La propiedad está en el número 25000 de la Calle Muir.

Nosotros valoramos su opinión: La Ciudad le da la bienvenida a comentarios del público y de las organizaciones: Jardines comunitarios de Hayward, (Hayward Community Gardens), Comité de Acción del Barrio del Triángulo de Jackson, (Jackson Triangle Neighborhood Task Force), y de dueños de propiedad en el área y residentes.

Decisiones con respecto a esta aplicación podrían ser tomadas administrativamente. Si esto ocurre, todos los residentes y dueños de propiedad de alrededor serán notificados. Decisiones administrativas pueden ser apeladas a la Comisión de Planeación de la Ciudad de Hayward.

City of Hayward
Planning Department "Division" / Planning Commission
777 "B" Street Hayward, CA 94541

This petition is in response to the application to construct a building to be used for Mosque functions on the property located at 25000 Muir Street in Hayward 94544. I the undersigned object to the proposed development and request that the City of Hayward denies the application for the following reasons:

1. This development would add too much traffic to an already congested area.
2. Excessive noise.
3. Parking problems.
3. Neighboring properties would loose their privacy.
4. A structure of this type could lower the neighboring residential home property values.

The below signers stand firm that we **do not** want a Mosque development located at the address 25000 Muir Street Hayward, 94544.

SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	Otilia	24888 Muir St
	Danny Pacheco	24848 Muir St.
	Josephine Herrera	24840 Muir St.
	Mary Cornejo	24810 Muir St.
	Carmen Flores	24806 Muir St
	Consuelo de Jesus Loa	24803 Muir St.
	Leticia Lemeli	24811 Muir St
	Teresa Gutierrez	24817 Muir St.
	Gabriela Sanchez	24933 Muir St
	Eupelia Sanchez	24833 Muir St
	Alvaro Chavez	24849 Muir St
	David Garcia	24857 Muir St
	David Garcia	24815 Muir St

Official Notice

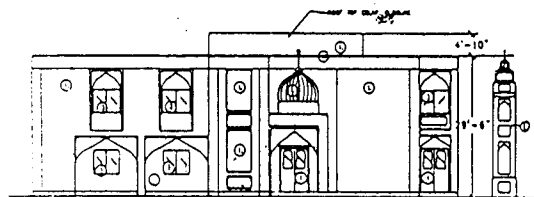
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	John Arifah	336 Orchard Ave
	Amy Stevens	339 Orchard Ave
	C. D. Casler	339 Orchard Ave
	Amber Beard	339 Orchard Ave
	Jeff Sommers	334 Orchard Ave
	Enrico B. Balcon	345 Orchard Ave.
	Gonzalo Vega	365 Orchard Ave
	IRMA VEGA	365 Orchard Ave
	Alicia Gonzalez	363 Orchard Ave
	Donna Gonzalez	375 Orchard Ave
	TAMI TURPIN	358 Orchard
	Rosa N. Peña	316 Orchard Av Hayward

Official Notice

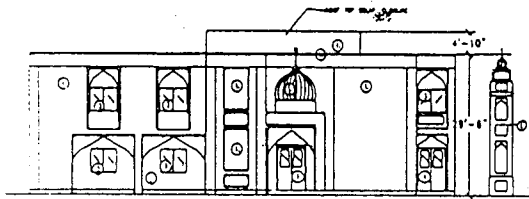
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Planning Department "Division" / Planning Commission
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	MIGUEL A. MUÑOZ	24705 THOMAS AVE.
	Catalina H	24707 Thomas Ave.
	Jeff Kellogg	24612 Thomas Ave
	LARRY PADILLA	24648 THOMAS AVE.
	Tina Godingz	582-3881
	Susan Reynolds	24720 Thomas Ave.
	MARIE E. BAMSCH	24866 Joyce ST. HA
	Guadalupe Martinez	24834 Joyce St Hay
	EDUARDO BARRIO	24834 JOYCE ST H.
	Ronenak 10 Ave	24834 JOYCE ST
	Ronenak 10 Ave	24818 Joyce St
	Ronenak 10 Ave	24818 Joyce St

Official Notice

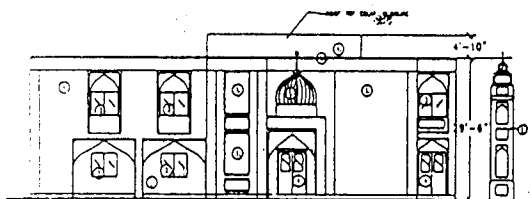
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City of Hayward
Planning Department "Division" / Planning Commission
777 "B" Street Hayward, CA 94541

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The below signers stand firm that we do not want a Mosque development located at the address 25000 Muir Street Hayward, 94544.

SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

Mary Lou Gutierrez	MARY Lou Gutierrez	690 Mardie St
Greg Gomez	GREG GOMEZ	590 Mardie St.
Dolores Lopez	DOLORES LOPEZ	588 Mardie St.
Roger Cokun	Roger Cokun	548 MARDIE ST
Sandra Gonzalez	Sandra Gonzalez	24671 Joyce St
Albert H. Rose	ALBERT H. ROSE	24733 Joyce
Edward C. Keenan	Edward C. Keenan	(24733) 24781 Joyce St.
Guillermo Morales	Guillermo Morales	24867 Joyce St.
Nora Buenrostro	Nora Hilda Buenrostro	425 Evelyn Ln
Cindy Meza	CINDY A. MEZA	800 Pinedale Ct. Hayward
Carlos Ardon	CARLOS ARDON	523 Evelyn Ln.
Luis Valenzuela	Luis Valenzuela	537 Evelyn Ln

Official Notice

Noticia Oficial

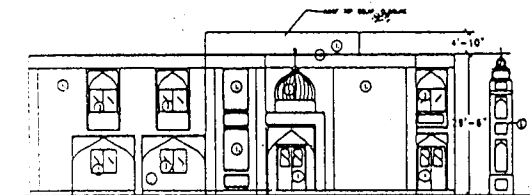
This adjacent information was received from the City of Hayward

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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	John P. Waters	347 Frederic Ave, Hay Co
	Sharyn Waters	347 Frederic Ave. Hay.
	Darla Waters	347 Frederic Ave Hay CA.
	Alex Ortega	332 Frederic Ave.
	Stephanie Ortega	332 Frederic Ave.
	Dan Dickey	24854 Tioga Rd 145
	Yolanda Vasquez	24842 Tioga Rd.
	Larry Vasquez	24842 Tioga Rd.
	Judy Mendez	24730 Tioga Rd
	Dorothy Root	24722 Tioga Rd
	Kathy Wallace	24714 Tioga Rd
	Rich A. Linhares	24074 Tioga Rd.

Official Notice

Noticia Oficial

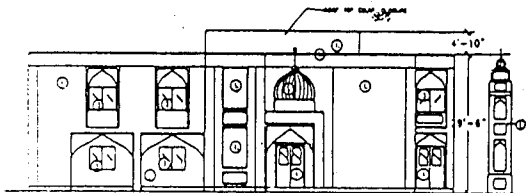
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

<u>Eugene F. Jaegel</u>	EUGENE F. JAEHEL	24877 TIoga RD.
<u>Jack L. Co</u>	JACK L. CO	24853 TIoga Rd.
<u>Eleanor E. Fletcher</u>	ELEANOR E. FLETCHER	24741 TIoga Rd
<u>Avis Turpin</u>	AVIS TURPIN	24698 Lyell Way
<u>Robert T. Baldwin Jr</u>	ROBERT T. BALDWIN JR	24673 TIoga RD.
<u>Harold G. Brooks</u>	HAROLD G. BROOKS	24659 TIoga RD
<u>Martha Anaya</u>	MARTHA ANAYA	24651 TIoga RD
<u>Alvario V. Rocha</u>	ALVARIO V. ROCHA	24650 LYELL WAY
<u>George Christensen</u>	GEORGE CHRISTENSEN	237 - LANGLEY WAY.
<u>Lisa C. Figueroa</u>	LISA C. FIGUEROA	24666 Lyell Way
<u>Paul Allen</u>	PAUL ALLEN	24674 Lyell way
<u>Josephine Yamamaka</u>	JOSEPHINE YAMAMAKA	24697 Lyell Way

Official Notice

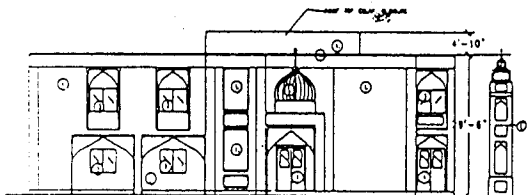
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	ROBERTO J. CERON	24823 ARVILLA CN
	ART ANTONIO	24815 ARVILLA
	ALFONSO IBARRA	306 Ambrose Ct
	EVELYN AQUINO	312 Ambrose Ct
	MARICA G. CORDERO	318 Ambrose Ct
	JUAN CHAVEZ	318 Ambrose CT
	ANA CHAVEZ	318 Ambrose CT
	SARA VARGAS	324 Ambrose Ct
	HERMINIA MENDEZ	332 Ambrose Ct
	MIKE MARQUES	362 Ambrose Ct
	MARIA V. MARQUES	362 Ambrose Ct
	LINDA FLOYD	24807 Muir St.
	LINDA FLOYD	24807 Muir St.

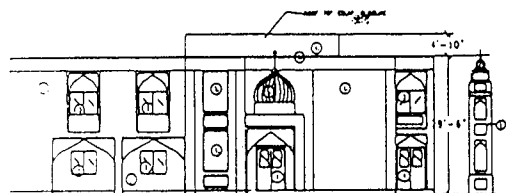
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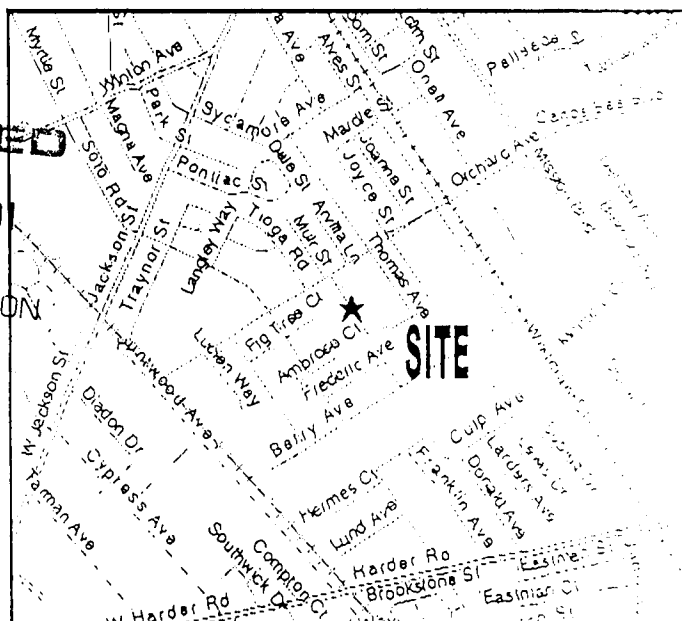
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PLANNING DIVISION



Area Map for 25000 Muir Street

City of Hayward

Planning Department "Division" / Planning Commission

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COPY

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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

<i>Gilbert B. Medeiros</i>	GILBERT B MEDEIRA	24900 MUIR ST.
<i>Mary Ann Medeiros</i>	MARY ANN Medeiros	24900 MUIR ST.
<i>Aurora Barber</i>	AURORA BARBER	24937 MUIR ST.
<i>James Barber</i>	JAMES BARBER	24937 MUIR ST.
<i>Carlos R. Lauregui</i>	Carlos R. LAUREGUI	(510) 533-9636
<i>Judy R. Alfaro</i>	JUDY R. ALFARO	406 ORCHARD
<i>Elsie Gonzales</i>	ELSIE GONZALES	459 ORCHARD
<i>Elmer Pichaz</i>	ELMER PICHAZ	447 ORCHARD AVE
<i>Lucille Pichaz</i>	LUCILLE PICHAZ	447 ORCHARD AVE
<i>Sosa Suka Do</i>	SOSE SUKADO	24407 THOMAS AVE
<i>Eleanor Gotti</i>	ELEANOR GOTTI	24816 MUIR ST.
<i>Louise Williams</i>	LOUISE WILLIAMS	396 ORCHARD AVE
<i>Nan R. Williams</i>	NAN R. WILLIAMS	396 ORCHARD AVE

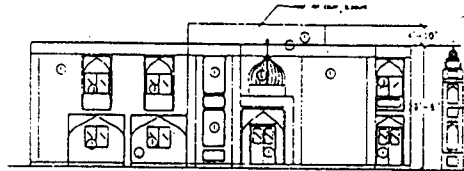
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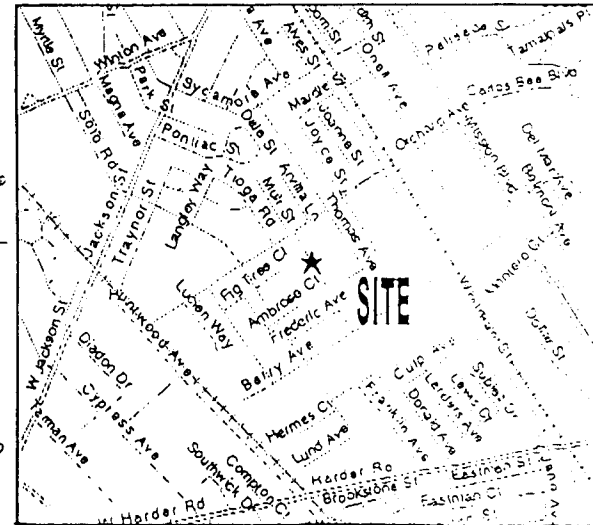
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WEST EXTERIOR ELEVATION

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Associate Planner
777 "B" Street
Hayward, CA 94541
Phone No: (510) 583-4210, Fax No: (510) 583-3649
E-mail: erikp@ci.hayward.ca.us
TDD: (510) 247-3340



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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	Debra L. Marquez	24954 Muir St. Haywa
	Antonia Lauregui	24936 Muir St Haywa
	Ron Elizavkey	24944 Muir St Hayward
	L. Kathy Elizavkey	24949 Muir St Hay. Ca
	Jacqueline Jackson	24965 Muir Street Haywa
	Helen Thomas	24981 Muir St Haywa
	Helen Thomas	24981 Muir St Haywa
	JOSEPH J. GILMETE	25023 Muir St Haywa
	Steve Hunt	25033 Muir St.
	Aldo Gonzalez	25001 Muir St
	BARBARA SALISE	25042 Muir St.
	BARBARA RIVERA	25020 Muir St
	DARREN CRANION	24960 Muir St

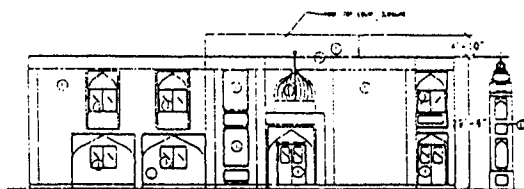
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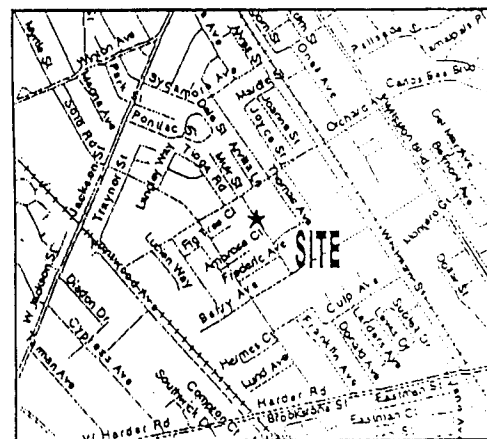
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

<i>Catalina Michel</i>	Catalina Michel	34914 Thomas Ave
<i>Edna MATEO</i>	Edna MATEO	25062 Thomas Ave
<i>Concepcion Flores</i>	25078 Thomas Ave	Concepcion Flores
<i>Robert Maldonado</i>	ROBERT MALDONADO	25086 THOMAS AVE
<i>Martin Fernandez</i>	Martin Fernandez	25094 THOMAS AVE
<i>Elly May Fernandez</i>	Elly May Fernandez	25094 THOMAS AVE
<i>Florentina Untalan</i>	FLORENTINA UNTALAN	25071 THOMAS AVE
<i>Sheri Halbur</i>	Sheri Halbur	24915 Thomas Ave
<i>Leslie W. Halbur</i>	LESLIE HALBUR	24915 THOMAS AVE
<i>Jose D. Guevara</i>	JOSE D. GUEVARA	346 BERRY AVE HAY
<i>Maria M Guevara</i>	MARIA M GUEVARA	346 BERRY AVE HAY
<i>Diane Sharp</i>	Diane Sharp	338 Berry Ave Hay
<i>Leona Davis</i>	LEONA DAVIS	330 Berry Ave Hay

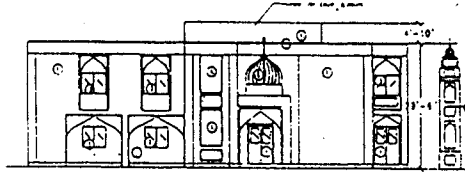
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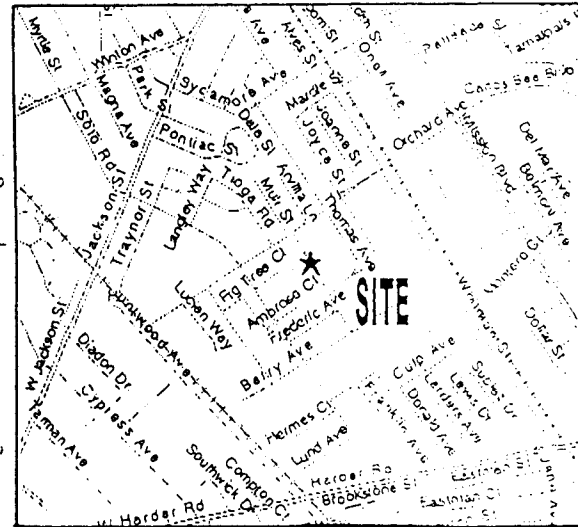
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	Angelo Godiner	24706 Thomas Ave
	Tim Godiner	24706 Thomas Ave
	PORFIRIO GALVAN	24677 THOMAS AVE.
	Guadalupe Galvan	24677 Thomas Ave
	Lawrence Tolled	24649 Thomas Ave
	Diana M Toward	" " "
	ROSA M. CARRASCO	24639 Thomas Ave
	Danielle J. Rodriguez	24678 O'Neil Ave
	20112 TURNER	24907 TURNER AVE
	SEBASTIAN E Andriode	24967 THOMAS AVE
	Josh Giron	24407 Thomas Ave
	JOYCE WOB LBE	24835 JOYCE ST
	F. M. Balassu	24819 Joyce St.

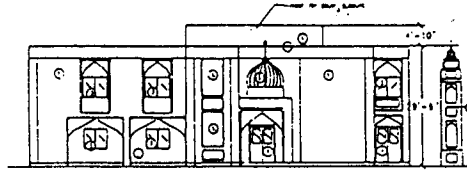
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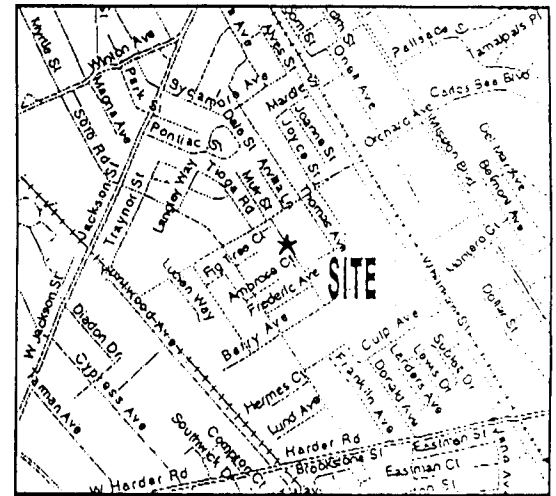
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SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

Robert Alameda

ROBERT ALAMEDA

326 Orchard Ave

Tomás O Jara

Tomás O Jara

306 Orchard Ave

Esperanza Alarcon

Esperanza Alarcon

24920 Soto Rd - Hay.

Violeta Griffey

Violeta Griffey

309 Orchard Ave.

Kathleen Anselmo

KATHLEEN ANSELMO

325 ORCHARD AVE.

Lisa Zovich

LISA ZOVICH

343 Orchard Ave

Marie Gonzales

Marie Gonzales

337 Orchard Ave

Raquel Perez

Raquel Perez

349 Orchard Ave.

Elena Solis

Elena Solis

385 Orchard Ave.

Fruin Solis

Fruin Solis

383 Orchard Ave.

Blanche B. Jensen

Blanche B. Jensen

356 Orchard Ave

Isabel Holmes

24818 Tioga Road

Isabel Holmes

Ruth Jacquel

24877 Tioga Rd

Ruth Jacquel

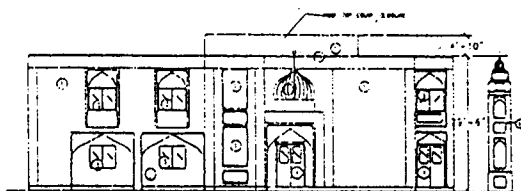
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The City of Hayward has received a request for a 10,917 square foot, 2-story building to be used for Mosque functions, daily/Friday prayers, & Sunday school.

The property is at 25000 Muir Street.

We value your opinion: The City welcomes comments from the public, Hayward Community Gardens, Jackson Triangle Neighborhood Task Force, and from the neighboring property owners and residents. Should you wish to comment on this project, we would appreciate hearing from you by November 2, 2001.

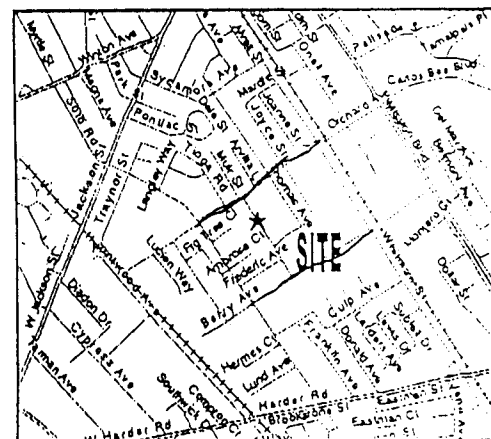
Decisions on the application may be made administratively. Should this occur, all surrounding residents and property owners will be notified. Administrative decisions may be appealed to the City of Hayward Planning Commission.



WEST EXTERIOR ELEVATION

For questions or comments on this project, please contact:

Planning Division
Erik J. Pearson, AICP
Associate Planner
777 "B" Street
Hayward, CA 94541
Phone No: (510) 583-4210, Fax No: (510) 583-3649
E-mail: erikp@ci.hayward.ca.us
TDD: (510) 247-3340



Area Map for 25000 Muir Street

The above information was received from the City of Hayward

TO: City of Hayward
Planning Department "Division" / Planning Commission
777 "B" Street Hayward, CA 94541

This petition is in response to the application to construct a building to be used for Mosque functions on the property located at 25000 Muir Street in Hayward 94544. I the undersigned object to the proposed development and request that the City of Hayward denies the application for the following reasons:

1. This development would add too much traffic to an already congested area.
2. Excessive noise.
3. Parking problems.
3. Neighboring properties would loose their privacy.
4. A structure of this type could lower the neighboring residential home property values.

COPY

The below signers stand firm that we do not want a Mosque development located at the address 25000 Muir Street Hayward, 94544.

SIGNATURES

PLEASE PRINT NAME

STREET ADDRESS

	ZOLA C. GIRON	24907 THOMAS AL
	JOSE R. GIRON	24907 THOMAS AL
	Laverne Rodriguez	419 ORCHARD AVE
	EVANGELINE HOSINO	419 ORCHARD AVE
	Joe R. Rodriguez	419 ORCHARD AVE
	Sergio Nava	471 ORCHARD VE
	Rita Foster	24906 Thomas AL
	Bonnie Dotson	563 Bernadette
	Bernadette Garcia	24853 Joanne St
	SANDRA RUSH	24826 JOANNE ST
	BONG HAK CHUNG	24778 JOANNE ST
	24766 Joanne St	8864467 Rt.
	24466 Joanne St	886-4481

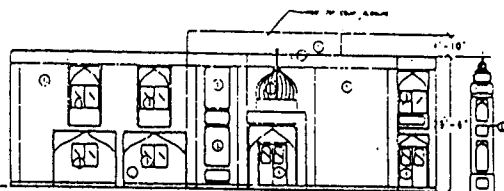
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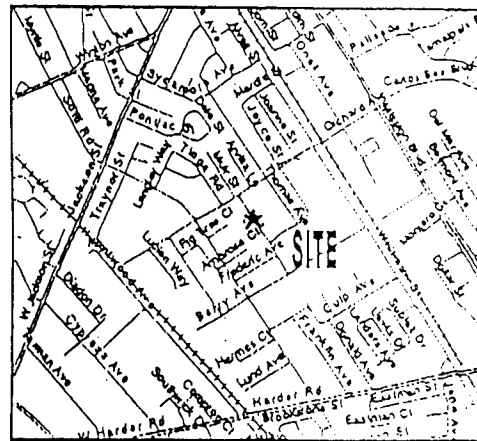
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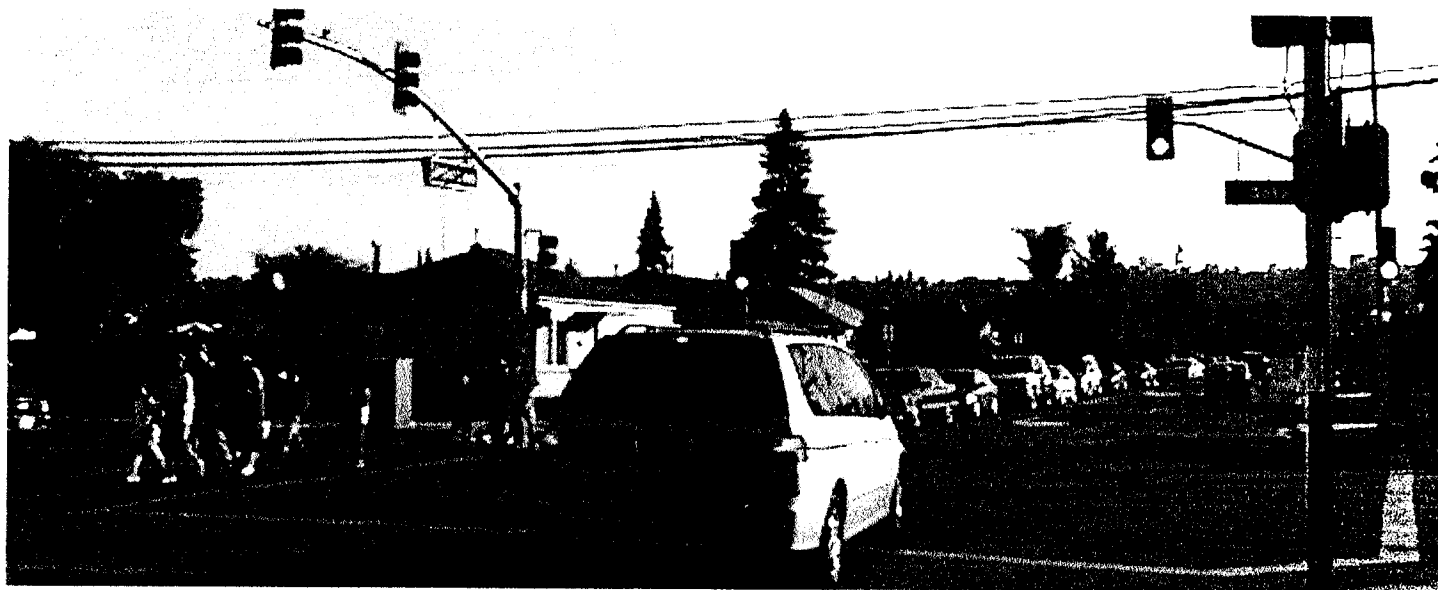
STREET ADDRESS

	Thomas Egan	24647 Joyce St
	John Lenoci	24679 Joyce St
	Laura Ruiz-Espaza	24749 Joyce St
	JAMES BALASSU	24819 JOYCE ST.
	Saite Alapali	24780 JOYCE ST.
	Rosa I Rodriguez	24678 Joyce St
	THOMAS HERNANDEZ	24670 JOYCE ST.
	Alma Palomares	670 Mardi st
	WILLIAM BURNEL	691 MARDIE ST.

ORCHARD AVE. ROUND ABOUT, WEST BOUND TRAFFIC
AND SPEED BUMPS

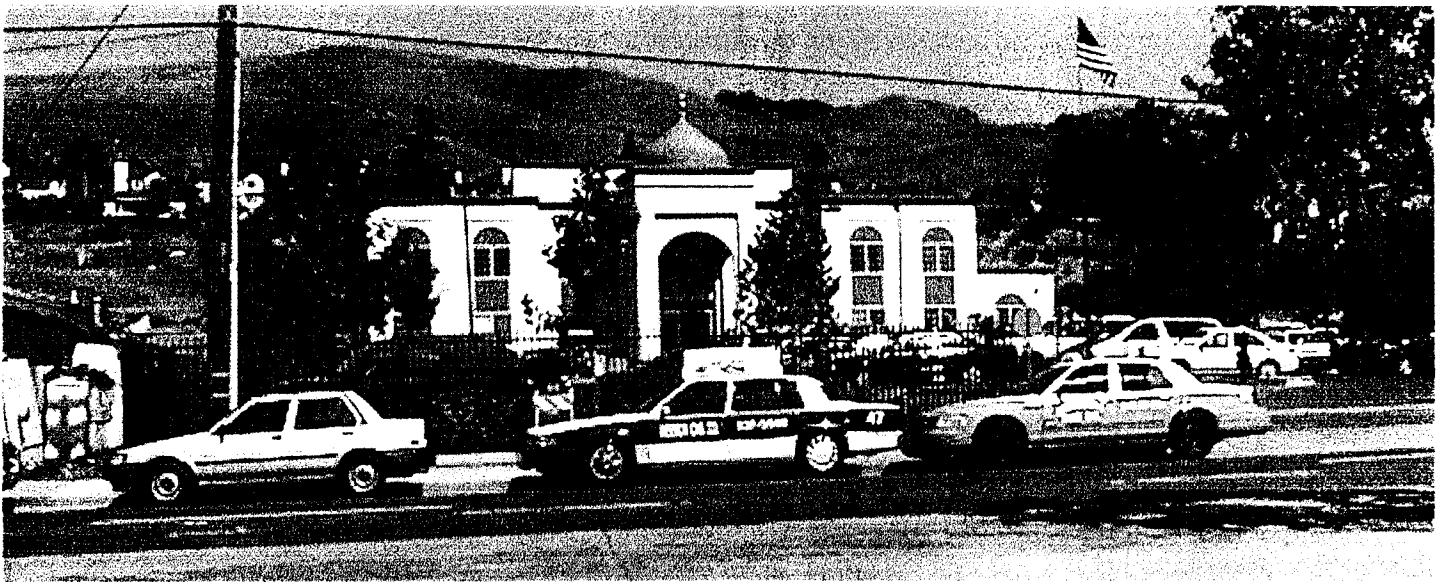


ORCHARD AVE AND SOTO RD EAST BOUND TRAFFIC



WEST AND EAST BOUND TRAFFIC ON ORCHARD
THOMAS AVE

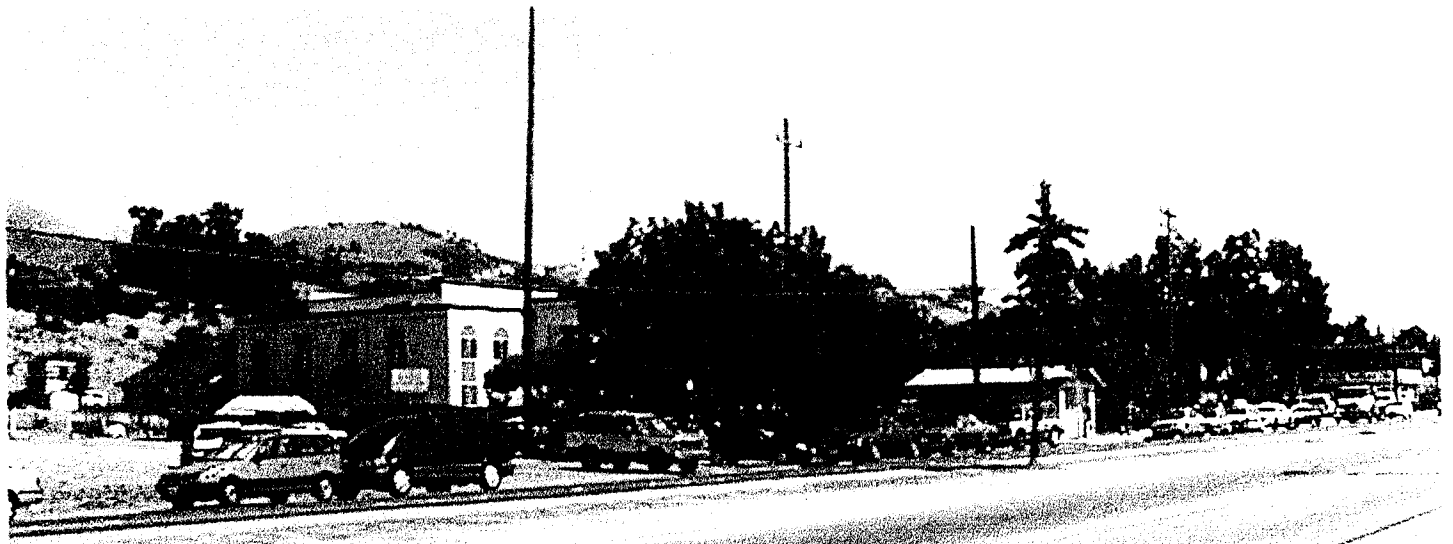




MISSION BLVD. MOSQUE HAYWARD PARKING LOT FULL



PARKING OVERFLOW AT EACH SIDE OF MOSQUE PROPERTY



PARKING OVERFLOW ON MISSION BLVD.





SUPPER
MEETING?

25000
MAIN STREET
HAYWARD

PARKING
PROBLEM
AND
CONSTRUCTION
WITH NO
PERMITS

ALL DIRT
SURFACES,
DIRT
DUST
MUD
NOISY





NOTICE

NO. 6902

CITY OF HAYWARD

PERMIT
NUMBER

OWNER'S OR PERMITEE'S NAME

JOB ADDRESS

MAIL ADDRESS

25000 Muir St

☒ VIOLATION

U.B.C.

☒ NO PERMIT - STOP WORK - REMOVE CONSTRUCTION, OR OBTAIN PERMIT AND MAKE ANY WORK COMPLY WITH BUILDING LAWS.

☐ CONSTRUCTION NOT IN ACCORDANCE WITH APPROVED PLANS AND PERMIT - STOP WORK MAKE EXISTING WORK COMPLY WITH APPROVED PLANS AND PERMIT OR REMOVE IT.

☐ CALL ZONING DIVISION AT 581-2345, CONCERNING VIOLATION OF ZONING REGULATION LISTED BELOW.

☐ STOP WORK - UNTIL AUTHORIZED TO CONTINUE BY THE INSPECTOR.

☒ CORRECTIONS REQUIRED

☐ CORRECTIONS LISTED BELOW MUST BE MADE BEFORE WORK CAN BE APPROVED.

☐ CONTACT INSPECTOR AND ARRANGE FOR APPOINTMENT.

☐ PARTIAL APPROVAL

☐ WORK DESCRIBED BELOW HAS BEEN INSPECTED AND IS APPROVED.

Stop all construction until
proper permits have been issued
Work to be permitted is as follows
Carport and patio enclosure at
North end of dwelling.
Also large structure at rear yard
30x80

Addition at rear of house

THE ACTIONS OR CORRECTIONS INDICATED ABOVE ARE REQUIRED WITHIN 10 DAYS. THE HAYWARD BUILDING REGULATIONS REQUIRE PENALTY FEES WHEN WORK HAS BEEN STARTED WITHOUT PERMIT.

FOR INSPECTIONS CALL 581-2345 - BUILDING INSPECTION DIVISION

<input checked="" type="checkbox"/>	BUILDING
<input type="checkbox"/>	ELECTRICAL
<input type="checkbox"/>	HEATING/VENT
<input type="checkbox"/>	PLUMBING
<input type="checkbox"/>	POURING
<input type="checkbox"/>	SIGN

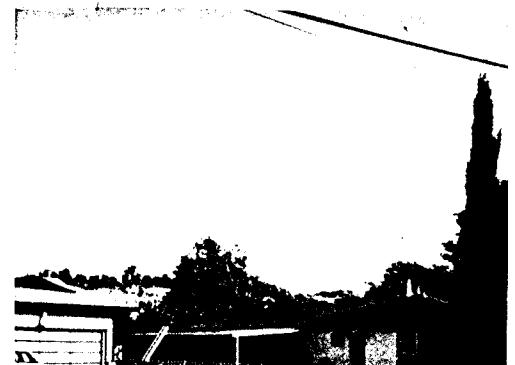
INSPECTORS ARE IN OFFICE 8:00 A.M. TO 5:00 P.M. MONDAY THRU FRIDAY
22300 FOOTHILL BLVD.

NAME OF INSPECTOR (PRINT)

293 8675 Margaret DeFreine

DATE

10-17-96



**DUE TO THE SIZE OF
ATTACHMENT A TO THIS REPORT, IT
IS NOT AVAILABLE FOR WEB
VIEWING. THE ENTIRE REPORT IS
AVAILABLE
FOR REVIEW AT
THE MAIN LIBRARY
AND IN THE CITY CLERK'S OFFICE.**